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Amendment and/or Response  
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REMARKS/DISCUSSION OF ISSUES

Claims 1-12 are pending in the application.

Applicant(s) thank(s) the Examiner for acknowledging the claim for priority and receipt of certified copies of all the priority document(s).

The Examiner is respectfully requested to state whether the drawings are acceptable.

The claims are amended for non-statutory reasons, to remove figure label numbers and otherwise place them in standard U.S. patent practice format. The scope of the claims is not changed.

The Office action objects to claim 11 for an informality. The aforementioned amendment of the claims corrects the informality. Accordingly, withdrawal of the objection to claim 11 is respectfully requested.

The Office action rejects claims 1-6, 11, and 12 under 35 USC § 103(a) over U.S. Pat. No. 3,241,256 to Viret et al. over U.S. Pat. No. 4,449,024 to Stracener and U.S. Pat. No. 4,714,983 to Lang. Applicant respectfully traverses this rejection. As explained below, the claims are patentable over any permissible combination of the cited references.

Independent claim 1, and therefore also all of claims 2-12 that depend directly or indirectly from claim 1, are patentable over the cited references at least because none of the cited references teach or suggest all the features recited in claim 1. For example, none of the cited references teach or suggest an upper side of each cavity coated with a reflecting layer.

The Office action recognizes that Viret et al. do not disclose this reflecting layer. However, the Office action suggests that this feature would be provided by combining the black plug 57 of Stracener into the device of Viret et al.

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Applicant respectfully disagrees. The black plug 57 of Stracener serves essentially the same purpose as the light baffle 19 of Viret et al., which prevents light from being dispersed upwardly to prevent the formation of a bright spot in front of lamps 18, 20 (Viret et al., column 3, lines 31-36). Viret et al. also teach the possibility of the upper surface being painted black to achieve the same purpose (ibid.).

Similarly, the black plug 57 of Stracener "prevents light energy from being dispersed upwardly and therefore assists in causing the light energy to laterally diffuse through the diffuser plate." (Stracener, column 5, lines 9-12.) One of skill in the art would readily recognize from this wording that Stracener is not talking about laterally defusing light that has been reflected from the top surface, but is talking about allowing light to shine sideways (laterally) from the lamps 42 but not upward from the lamps 42. This is very different from any teaching of reflection. Nor could Stracener's black plug 57 be considered to inherently reflect anything at all, let alone an amount sufficient to qualify as reflection, since that characteristic is not taught by Stracener at all.

**The fact that a certain result or characteristic may occur or be present in the prior art is not sufficient to establish the inherency of that result or characteristic. ... "To establish inherency, the extrinsic evidence 'must make clear that the missing descriptive matter is necessarily present in the thing described in the reference, and that it would be so recognized by persons of ordinary skill. Inherency, however, may not be established by probabilities or possibilities. The mere fact that a certain thing may result from a given set of circumstances is not sufficient.' " – MPEP 2112 (citations omitted)**

In fact, Stracener and Viret et al. actually teach away from any teaching of reflection for the surface, by their suggestion of, respectively, a black plug and black paint. It is well known in the optical arts that a surface is painted black when light absorption, not reflection, is intended. One

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skilled in the art would understand that by using a black plug Stracener intends that light passing upward from the lamps 42 be blocked and absorbed, to have as little effect as possible, in order to maximize the relative effect of the light radiating laterally from the lamps 42.


Lang does not make up for the deficiency of Viret et al. and Stracener, since Lang also does not teach or suggest the reflecting upper surface of cavities 40, 42. Accordingly, this element (the upper side of the cavity being covered with a reflecting layer) is not taught or suggested in any of the cited references, and therefore the references cannot be combined under 35 USC § 103(a) to supply this missing element.

Accordingly, withdrawal of the section obvious rejection of claims 1-6, 11, and 12 is respectfully requested.

Applicant thanks the Examiner for his statement that claims 7-10 contain patentable subject matter.

In view of the foregoing, applicant(s) respectfully request(s) that the Examiner withdraw the rejections of record, allow all the pending claims, and find the application to be in condition for allowance. If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,

  
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